

5/15/78

STREET VACATION

Portion of Valley View Road adjacent
to County Road 18

1/1/74

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
CITY OF EDINA)

CERTIFICATE OF MAILING NOTICE

I, the undersigned, being the duly qualified acting City Clerk of the City of Edina, Minnesota, hereby certify that on the following date Apr. 28, 19 78, acting on behalf of said City I deposited in the United States mail copies of the attached Notice of Public Hearing - Street Vacation Valley View Rd (Exhibit A), enclosed in sealed envelopes, with postage thereon duly prepaid, addressed to the persons at the addresses as shown on the mailing list (Exhibit B) attached to the original hereof, which list is on file in my office, said persons being those appearing on the records of the County Auditor as owners of the property listed opposite their respective names, as of a date 10 days prior to the date of the hearing; and that I also sent said notice to the following corporations at the indicated addresses whose property is exempt from taxation and is therefore not carried on the records of said County Auditor.

<u>Name</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____

WITNESS my hand and the seal of said City this 28
day of April, 19 78.

Glenn D. Hallberg
Edina City Clerk

Mailing List - Notice of Public Hearing
Street Variation - Valley View Rd. Adjacent to
Co. Rd. 18 May 15, 1978

Arthur J. Lee, County Eng. & Director of Public Works
Hennepin Co. Highway Dept.
320 Washington Ave. So. Hopkins 55343

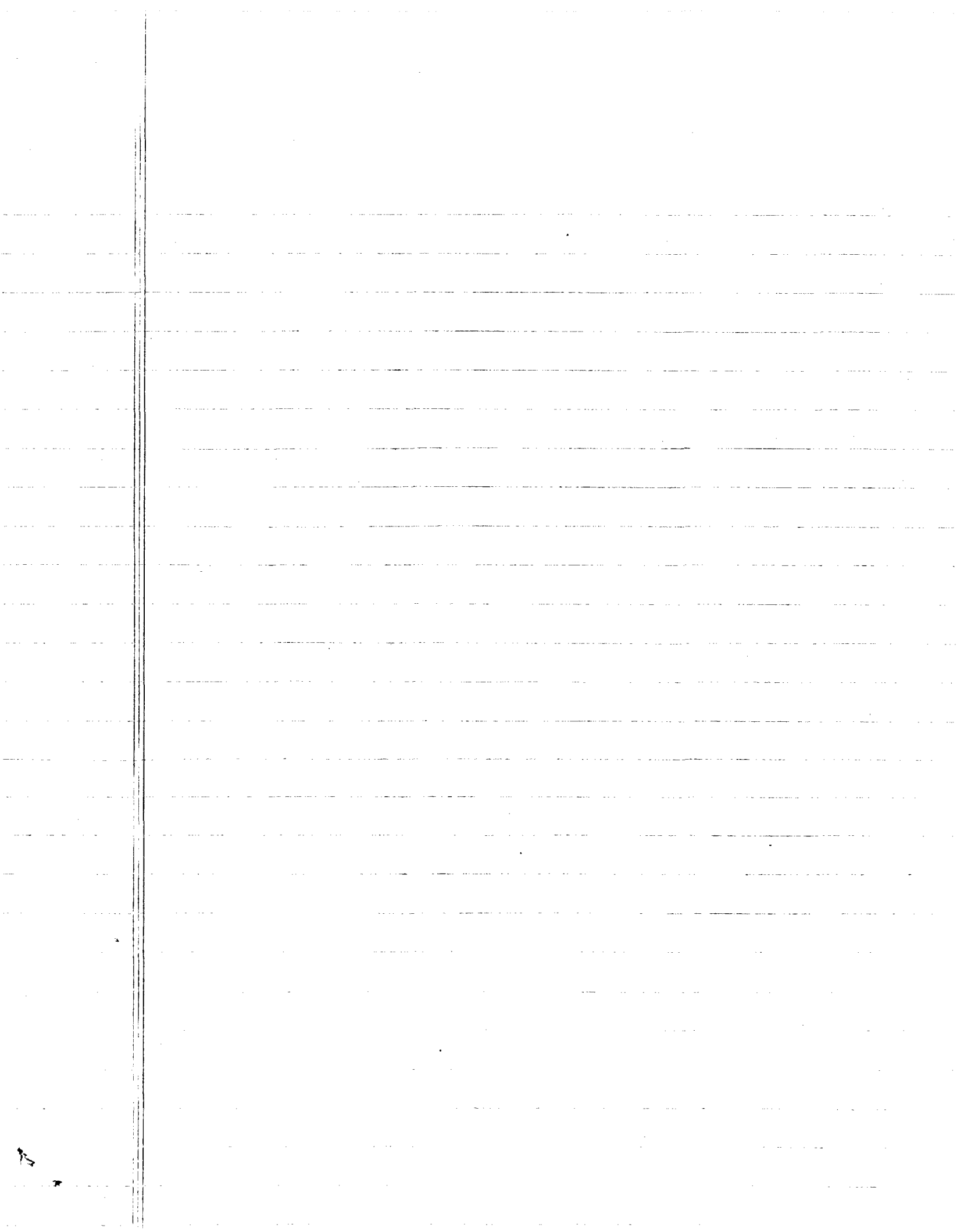
1550 Allen Harrison 3800 Vicksburg La. H.
(Selling to Lane?)
Hemel MN 55340

Sec 7 T 116 R 21

1800 John R. Paulson 320 N. Edgewood Ave.
1900 Golden Valley 55427

154 1550 Clarence Lowe 1580 E. Constance Dr.
Golden Valley 55422

David D. Swenson, Principal ^{Resident} R-Way Agent
Hennepin County
320 Washington Ave. So. Hopkins 55343



CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON STREET VACATION IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

That portion of Valley View Road, formerly Hennepin County Road 39 located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18, except for utility easements therein

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street, Edina, Minnesota, on May 15, 1978, at 7:00 o'clock p.m., for the purpose of holding a public hearing on the proposed vacation of the following street:

That portion of Valley View Road, formerly Hennepin County Road 39 located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Ave. and the West right-of-way line of Hennepin County Road No. 18, [except for utility easements therein]

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such street or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY THE ORDER OF THE CITY COUNCIL

Florence B. Hallberg, City Clerk

April 28, 1978

No. 558719

RECEIPT FOR CERTIFIED MAIL

**NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL**

(See Reverse)

SENT TO				
Mr. Thomas S. Erickson				
STREET AND NO.				
2400 1st National Bank Bld				
P.O., STATE AND ZIP CODE				
Minneapolis, MN 55402				
POSTAGE			\$	
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE		¢	
	OPTIONAL SERVICES	SPECIAL DELIVERY	¢	
		RESTRICTED DELIVERY	¢	
		RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	¢
			SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
			SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		¢	
TOTAL POSTAGE AND FEES			\$ 1.40	

POSTMARK OR DATE

1/24/80

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

- 1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)**
- 2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.**
- 3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article RETURN RECEIPT REQUESTED adjacent to the number.**
- 4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article.**
- 5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.**
- 6. Save this receipt and present it if you make inquiry.**

January 24, 1980

Mr. Thomas S. Erickson
2400 First National Bank Bldg.
Minneapolis, MN 55402

Dear Tom:

Certified Mail 558719

Enclosed herewith is a Summons and Complaint served on me relative to easement for watermain retained by the City when we vacated Valley View Road adjacent to County Road 18.

At the time the street was vacated, easements of Minnegasco and Northwestern Bell Telephone Co., along with the City's watermain easement were also excluded from the vacation.

Will you please talk to Fran Hoffman if you have any further questions in regard to this matter and take any action necessary in the interest of the City?

Yours very truly,

City Clerk

enclosure

Prepared by U20
Cited by ~~188~~

F10 Easement should be cited with form to see if a separate
agreement will be needed after vacation or not?

Street Vacation - (GARRISON)
That Portion of Valley View Road, formerly Hennepey
County Road 39, located in the North 1/2 of Section 7 Township 116
Range 21, lying between Washington Avenue and County
Road 118, except for a 15' wide strip of land for
utility easement the center line of which is described
as follows: Commencing at a point on the East line
of Washington Ave, said point being (20') North of
the recorded center line of said Valley View Road, Thence
Easterly Twenty-foot (20') North of and parallel to said
center line to the westerly right of way line of
County Road 18 and there terminating.

W. Garrison
1/1



Northwestern Bell

5501 Opportunity Court
Hopkins, Minnesota 55343
May 17, 1978

Florence B. Hallberg
City Clerk
City of Edina
4801 W. 50th Street
Edina, Minnesota 55424

Re: Vacation of Valley View Road, between Washington Avenue and
County Road 18.

The Northwestern Bell Telephone Company presently has two buried telephone feeder cables located within that portion of Valley View Road to be vacated. These cables serve a large residential area adjacent to Valley View Road from County Road 18 east to Antrim Road.

Therefore, we wish to maintain our facilities in their present location, under and across the area of the proposed vacation with the right of ingress and egress to construct, operate, inspect, maintain, repair, replace or remove said communications system.

The Telephone Company is requesting that the street vacation is subject to an easement therein, described as follows:

The Northerly 15.00 feet of that portion of Valley View Road, formerly Hennepin County Road 39 located in the North $\frac{1}{2}$ of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18.

Sincerely,

District Engineer

North Bell

the City Council of the City of Edina to vacate all of the following right-of-way:

☐ Street

☐ Alley

☐ Utility Easement

☐ Drainage Easement

☐ Other _____
(describe)

Description of area proposed to be vacated:

That portion of Valley View Road, formerly Hennepin County Road 39 located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18, except for utility easements therein

Attach copy of scaled drawing showing in full detail the proposed vacation.

Signature _____

Address _____

Telephone _____

2) Review

CITY ENGINEER by Harvey J. Hansen ☐ Acceptable ☐ Opposed ☒ Conditional
Conditions _____

MINNEGASCO by 7/11/71 ☐ Acceptable ☐ Opposed ☒ Conditional
Minnesota Gas Company objects to proposed vacation unless easement rights
Conditions are reserved it over Southerly 1/2 of the area to be vacated.

N.W. BELL by _____ ☐ Acceptable ☐ Opposed ☐ Conditional
Conditions _____

N.S.P. by _____ ☐ Acceptable ☐ Opposed ☐ Conditional
Conditions _____

5/16 Schramm - Reserving to the Minnesota Gas
Co the Southerly 1/2 of the area
Parker - will call me back (Hildebrand)

N.S.P. by 15 Beebeville ☒ Acceptable ☐ Opposed ☐ Conditional

Conditions _____

FILED

RECEIVED JAN 22 1980

4:00 pm
m

STATE OF MINNESOTA

'80 JAN 17 AM 10:43

DISTRICT COURT

COUNTY OF HENNEPIN

BY DEPUTY
HENRY C. DISTRICT
COURT ADMINISTRATOR

FOURTH JUDICIAL DISTRICT

Clarence A. Lowe,

MC #788272#

Plaintiff,

vs.

The First National Bank of Hopkins, a United States Corporation, all unknown heirs of Joseph Roushar, deceased, Amanda Roushar, Joseph Tesarek, Anna Tesarek, Allan W. Garrison, Helen May Garrison, aka Helen M. Garrison, John R. Paulson, Lois V. Paulson, Nora K. Fergestad, Lancer Stores, Inc., a Minnesota Corporation, David E. Thomas, Jr., Virginia S. Thomas, County of Hennepin, a body politic and corporate under the laws of the State of Minnesota, Minnesota Gas Company, a Delaware Corporation, Northwestern Bell Telephone Company, an Iowa Corporation, Morris Chaffen, Guaranty State Bank of St. Paul, a Minnesota Corporation, the United States of America, the City of Edina, a Minnesota Corporation, Sonja Lazear, Marcia Holabird and Mina Fergestad, heirs of Marvin L. Fergestad, deceased, also all unknown heirs of Marvin L. Fergestad, deceased, Allan W. Garrison as Trustee for Edina Estates, Inc., a Minnesota Corporation, Bar-Ett Investment Company, a Partnership, M. L. Baratz Investment Company, a Partnership, B. B. & B. Investment Company, a Partnership, Dupont Investment Company, a Partnership, also all other persons unknown claiming any right, title, estate, interest or lien in the real estate described in the Complaint herein.

S U M M O N S

THE STATE OF MINNESOTA TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED AND REQUIRED to serve upon Plaintiff's attorney an Answer to the Complaint which is herewith served upon you within twenty (20) days after service of this Summons upon you, exclusive of the day of service. If you fail to do so, Judgment by Default will be taken against you for the relief demanded in the Complaint.

This action involves, effects or brings in question real property situated in the County of Hennepin, State of Minnesota, described as follows:

That part of the Northwest Quarter of the Northwest Quarter of Section 7, Township 116, North, Range 21 West of the 5th Principal Meridian, Hennepin County Minnesota, described as follows:

FILED
JAN 22 1980
DISTRICT COURT
FOURTH JUDICIAL DISTRICT
HENNEPIN COUNTY MINN.

Beginning at a point in the West line of said Northwest Quarter of said Northwest Quarter distant 663.35 feet south of the Northwest corner thereof; thence Southerly, along said west line of the Northwest Quarter of the Northwest Quarter to the intersection with a line drawn 50 feet northerly of, measured at a right angle to and parallel with Line "A" hereinafter described; thence easterly, parallel with said Line "A" to the intersection with a line drawn 33 feet easterly of, measured at a right angle to and parallel with the west line of said Northwest Quarter of the Northwest Quarter; thence northerly, along a line parallel with the west line of said Northwest Quarter of the Northwest Quarter to a point therein distant 30 feet northerly from Line "Z" hereinafter described; thence deflecting to the right at an angle of 141 degrees 50 minutes 15 seconds, a distance of 32.37 feet, more or less, to the intersection with a line drawn 53 feet easterly of, measured at a right angle to and parallel with the west line of said Northwest Quarter of the Northwest Quarter; thence northerly, parallel with the west line of said Northwest Quarter of the Northwest Quarter, a distance of 49.33 feet, more or less, to the intersection with a line drawn 20 feet southerly of, measured at a right angle to and parallel with the southerly right of way line of County Road No. 39; thence northeasterly, along a line parallel with the southerly right of way line of said County Road No. 39, to the intersection with a line 40 feet westerly of, measured at a right angle to and parallel with Line "B" hereinafter described; thence northerly along a line parallel with said Line "B" to an intersection with a line drawn easterly from the point of beginning and at a right angle to the west line of said Northwest Quarter of the Northwest Quarter; thence westerly, along said right angle line, to the point of beginning.

Line "A":

Commencing at a point in the south line of the Southwest Quarter of the Northwest Quarter of Section 7, Township 116, Range 21, distant 437.5 feet east of the southwest corner thereof; thence northerly at an angle of 91 degrees 13 minutes (as measured from West to North) to the intersection with the south line of the Northwest Quarter of the Northwest Quarter of said Section 7; thence continue northerly, along last described course, 127.74 feet to the point of beginning of Line "A"; thence deflecting to the left at an angle of 80 degrees a distance of 600 feet and there terminating.

Line "Z":

Commencing at the southwest corner of the Northwest Quarter of Section 7, Township 116, Range 21; thence on an assumed bearing of North 3 degrees 43 minutes 43 seconds west, along the west line of said Northwest Quarter, a distance of 1617.90 feet to the point of beginning of Line "Z"; thence South 80 degrees 03 minutes 13 seconds east, a distance of 213.23 feet and there terminating.

Line "B":

Commencing at a point in the south line of the Southwest Quarter of the Northwest Quarter of Section 7, Township 116, Range 21, distant 437.5 feet east of the southwest corner thereof; thence northerly at an angle of 91 degrees 13 minutes (as measured from west to north), a distance of 1468.20 feet; thence northwesterly, deflecting to the left, an angle of 80 degrees 00 minutes, a distance of 271.57 feet to the point of beginning of Line "B"; thence northerly, deflecting to the right, an angle of 93 degrees 30 minutes, a distance of 589.47 feet and there terminating.

Also that part of the Northwest Quarter of the Northwest Quarter of Section 7, Township 116, Range 21, Hennepin County, Minnesota described as follows:

Commencing at the southwest corner of the Northwest Quarter of said Section 7; thence on an assumed bearing of North 3 degrees, 43 minutes, 43 seconds West, along the west line of said Northwest Quarter, a distance of 1576.73 feet; thence South 80 degrees, 03 minutes, 13 seconds East along a line hereinafter referred to as "Line X", a distance of 234.90 feet, thence North 13 degrees, 27 minutes, 33 seconds East, along a line hereinafter referred to as "Line Y", a distance of 40.08 feet to the intersection with a line parallel with and 40.00 feet northerly, measured at a right angle, from said "Line X", and said parallel line to be hereinafter referred to as "Line Z"; thence Northerly along said "Line Y" a distance of 199.97 feet, more or less, to its intersection with the southerly right of way line of County Road No. 39, said point of intersection being the actual point of beginning of the land to be described; thence Southerly along said "Line Y" to the beginning of a curve concave to the northwest having a radius of 36.00 feet, said "Line Y" and said "Line Z" are tangent to said curve; thence southwesterly and westerly along said curve to its point of tangency with said "Line Z"; thence westerly along said "Line Z" to a point 30.00 feet easterly from its intersection with a line parallel with and 33.00 feet east of the west line of said Northwest Quarter of the Northwest Quarter; thence northwesterly to a point on the last described parallel line 30.00 feet northerly from its intersection with said "Line Z"; thence north along the last described parallel line to the southerly right of way line of County Road No. 39; thence easterly along said right of way line to the point of beginning. EXCEPT the northerly 20.00 feet of the above described land, and EXCEPT that part of the above described land lying west of a line 53.00 feet east from and parallel with the west line of said Northwest Quarter of the Northwest Quarter.

The object of said action is to determine adverse claims under
Section 559.01 Minnesota Statutes, 1978.

INCE, TISCHLEDER & ASSOCIATES

By Barry L. Wittenkeller
Barry L. Wittenkeller
Attorney for Plaintiff
135 West 97th Street
Bloomington, Mn. 55420
887-6800

FILED

STATE OF MINNESOTA

'80 JAN 17 AM 10:43

DISTRICT COURT

COUNTY OF HENNEPIN

BY

DEPUTY FOURTH JUDICIAL DISTRICT

HENN. CO. DISTRICT

CERT. ADMINISTRATOR.

Clarence A. Lowe,

Plaintiff,

vs.

The First National Bank of Hopkins, a United States Corporation, all unknown heirs of Joseph Roushar, deceased, Amanda Roushar, Joseph Tesarek, Anna Tesarek, Allan W. Garrison, Helen May Garrison, aka Helen M. Garrison, John R. Paulson, Lois V. Paulson, Nora K. Fergestad, Lancer Stores, Inc., a Minnesota Corporation, David E. Thomas, Jr., Virginia S. Thomas, County of Hennepin, a body politic and corporate under the laws of the State of Minnesota, Minnesota Gas Company, a Delaware Corporation, Northwestern Bell Telephone Company, an Iowa Corporation, Morris Chaffen, Guaranty State Bank of St. Paul, a Minnesota Corporation, the United States of America, the City of Edina, a Minnesota Corporation, Sonja Lazear, Marcia Holabird and Mina Fergestad, heirs of Marvin L. Fergestad, deceased, also all unknown heirs of Marvin L. Fergestad, deceased, Allan W. Garrison as Trustee for Edina Estates, Inc., a Minnesota Corporation, Bar-Ett Investment Company, a Partnership, M. L. Baratz Investment Company, a Partnership, B. B. & B. Investment Company, a Partnership, Dupont Investment Company, a Partnership, also all other persons unknown claiming any right, title, estate, interest or lien in the real estate described in the Complaint herein,

C O M P L A I N T

Defendant.

Comes now the Plaintiff and for his cause of action, states and alleges:

I.

That he is the owner in fee of the following described premises situated in Hennepin County, Minnesota;

That part of the Northwest Quarter of the Northwest Quarter of Section 7, Township 116, North, Range 21 West of the 5th Principal Meridian, Hennepin County Minnesota, described as follows:

Beginning at a point in the West line of said Northwest Quarter of said Northwest Quarter distant 663.35 feet south of the Northwest corner thereof; thence Southerly, along said west line of the Northwest Quarter of the Northwest Quarter to the intersection with a line drawn 50 feet northerly of, measured at a right angle to and parallel with Line "A" hereinafter described; thence easterly, parallel with said Line "A" to the intersection with a line drawn 33 feet easterly of, measured at a right angle to and parallel with the west line of said Northwest Quarter of the Northwest Quarter; thence northerly, along a line parallel with the west line of said Northwest Quarter of the Northwest Quarter to a point therein distant 30 feet northerly from Line "Z" hereinafter described; thence deflecting to the right at an angle of 141 degrees 50 minutes 15 seconds, a distance of 32.37 feet, more or less, to the intersection with a line drawn 53 feet easterly of, measured at a right angle to and parallel with the west line of said Northwest Quarter of the Northwest Quarter; thence northerly, parallel with the west line of said Northwest Quarter of the Northwest Quarter, a distance of 49.33 feet, more or less, to the intersection with a line drawn 20 feet southerly of, measured at a right angle to and parallel with the southerly right of way line of County Road No. 39; thence northeasterly, along a line parallel with the southerly right of way line of said County Road No. 39, to the intersection with a line 40 feet westerly of, measured at a right angle to and parallel with Line "B" hereinafter described; thence northerly along a line parallel with said Line "B" to an intersection with a line drawn easterly from the point of beginning and at a right angle to the west line of said Northwest Quarter of the Northwest Quarter; thence westerly, along said right angle line, to the point of beginning.

Line "A":

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II.

That said premises are vacant and unoccupied.

III.

That defendants claim, or appear of record to claim, some estate or interest in or lien thereon adverse to plaintiff.

WHEREFORE, Plaintiff asks Judgment determining that he is the owner of the premises and that the defendants herein have no estate or interest therein or lien thereon and furthermore, plaintiff asks for his costs and disbursements herein.

INCE, TISCHLEDER & ASSOCIATES

By Barry L. Wittenkeller
Barry L. Wittenkeller
Attorney for Plaintiff
135 West 97th Street
Bloomington, Mn. 55420
887-6800



Northwestern Bell

5501 Opportunity Court
Hopkins, Minnesota 55343
May 17, 1978

Florence B. Hallberg
City Clerk
City of Edina
4801 W. 50th Street
Edina, Minnesota 55424

Re: Vacation of Valley View Road, between Washington Avenue and
County Road 18.

The Northwestern Bell Telephone Company presently has two buried telephone feeder cables located within that portion of Valley View Road to be vacated. These cables serve a large residential area adjacent to Valley View Road from County Road 18 east to Antrim Road.

Therefore, we wish to maintain our facilities in their present location, under and across the area of the proposed vacation with the right of ingress and egress to construct, operate, inspect, maintain, repair, replace or remove said communications system.

The Telephone Company is requesting that the street vacation is subject to an easement therein, described as follows:

The Northerly 15.00 feet of that portion of Valley View Road, formerly Hennepin County Road 39 located in the North $\frac{1}{2}$ of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18.

Sincerely,

District Engineer

1944, 1945, 1946

1947, 1948

The following information was obtained from the records of the
Department of the Interior, Bureau of Land Management, for the years
1944, 1945, 1946, 1947, and 1948. The information was obtained from
the records of the Department of the Interior, Bureau of Land Management,
for the years 1944, 1945, 1946, 1947, and 1948.

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CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON STREET VACATION IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

That portion of Valley View Road, formerly Hennepin County Road 39 located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18, except for utility easements therein

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street, Edina, Minnesota, on May 15, 1978, at 7:00 o'clock p.m., for the purpose of holding a public hearing on the proposed vacation of the following street:

That portion of Valley View Road, formerly Hennepin County Road 39 located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Ave. and the West right-of-way line of Hennepin County Road No. 18, except for utility easements therein

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such street or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY THE ORDER OF THE CITY COUNCIL

Florence B. Hallberg, City Clerk

April 28, 1978

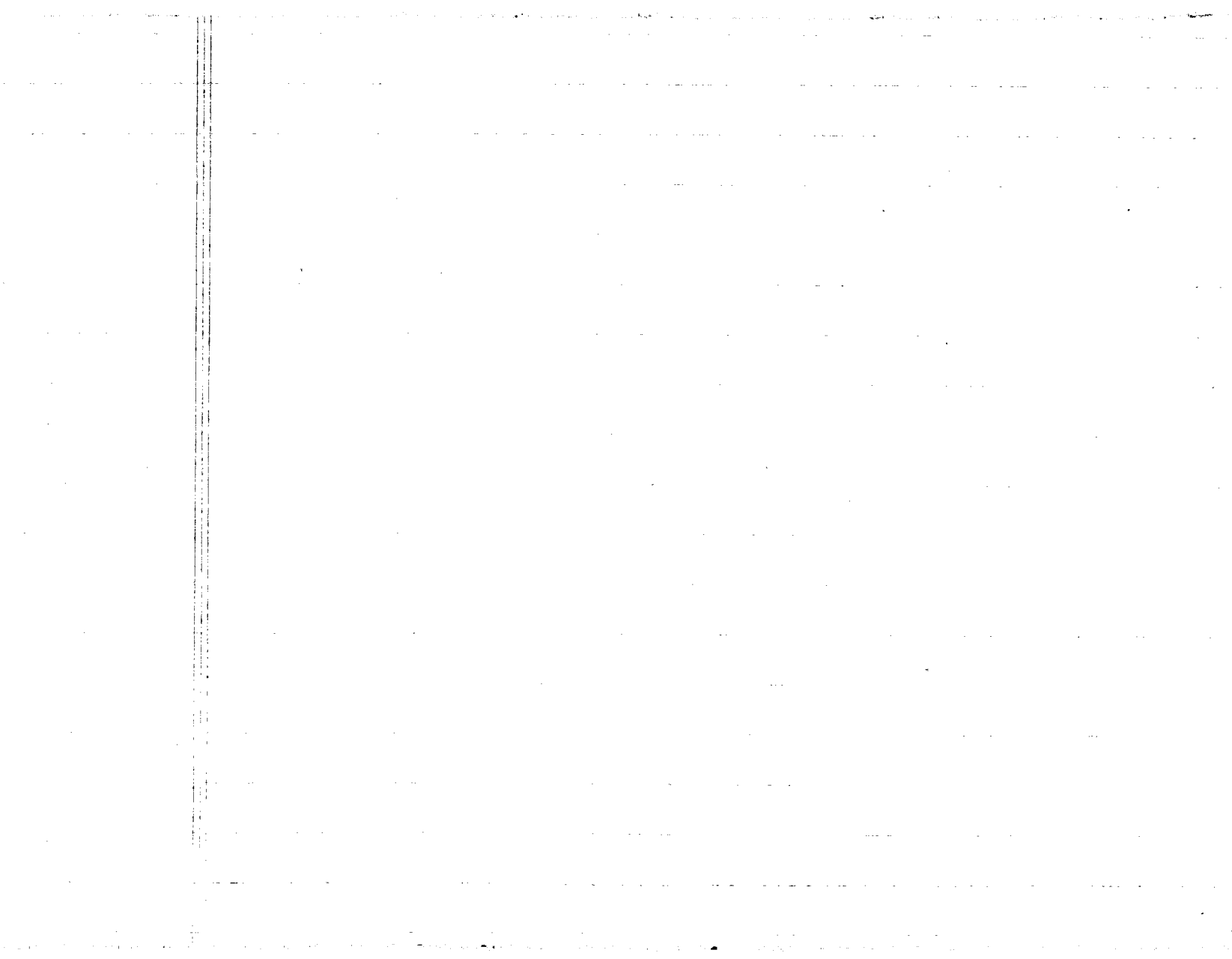
Street Vacation - (Garrison)

That Portion of Valley View Road, formerly Hennepin County Road 37, Located in the North $\frac{1}{2}$ of Section 7 Township 116 Range 21, lying between ^{2nd 66' in width} Washington Avenue ^{the southerly extension of the east line of} and ^{the West} County Road 18, except for a 15' wide strip of land for utility easement the center line of which is described as follows: Commencing at a point on the East line of Washington Ave. said point being ^{Twenty Feet} (20') North of the recorded center line of said Valley View Road, Thence Easterly Twenty Feet (20') North of and parallel to said center line to the westerly right of way line of County Road 18 and there terminating.

Prepared by OJG
Checked by *[Signature]*

FLO Easement should be checked with FOM to see if a separate easement will be needed after vacation or not?

right of way line of Hennepin



CITY OF EDINA

PUBLIC RIGHT-OF-WAY VACATION APPLICATION

Date Initiated 4/17/78

- 1) I hereby petition the City Council of the City of Edina to vacate all of the following described public right-of-way:

☒

Street

☐

Alley

☐

Utility Easement

☐

Drainage Easement

☐

Other

(describe)

Description of area proposed to be vacated:

That portion of Valley View Road, formerly Hennepin County Road 39 located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18, except for utility easements therein

Attach copy of scaled drawing showing in full detail the proposed vacation.

Signature _____

Address _____

Telephone _____

2) Review

CITY ENGINEER by

Francis J. Hoffman

☐

Acceptable

☐

Opposed

☒

Conditional

Conditions _____

MINNEGASCO by

☐

Acceptable

☐

Opposed

☐

Conditional

Conditions _____

N.W. BELL by

☐

Acceptable

☐

Opposed

☐

Conditional

Conditions _____

N.S.P. by

R. Berberith

☒

Acceptable

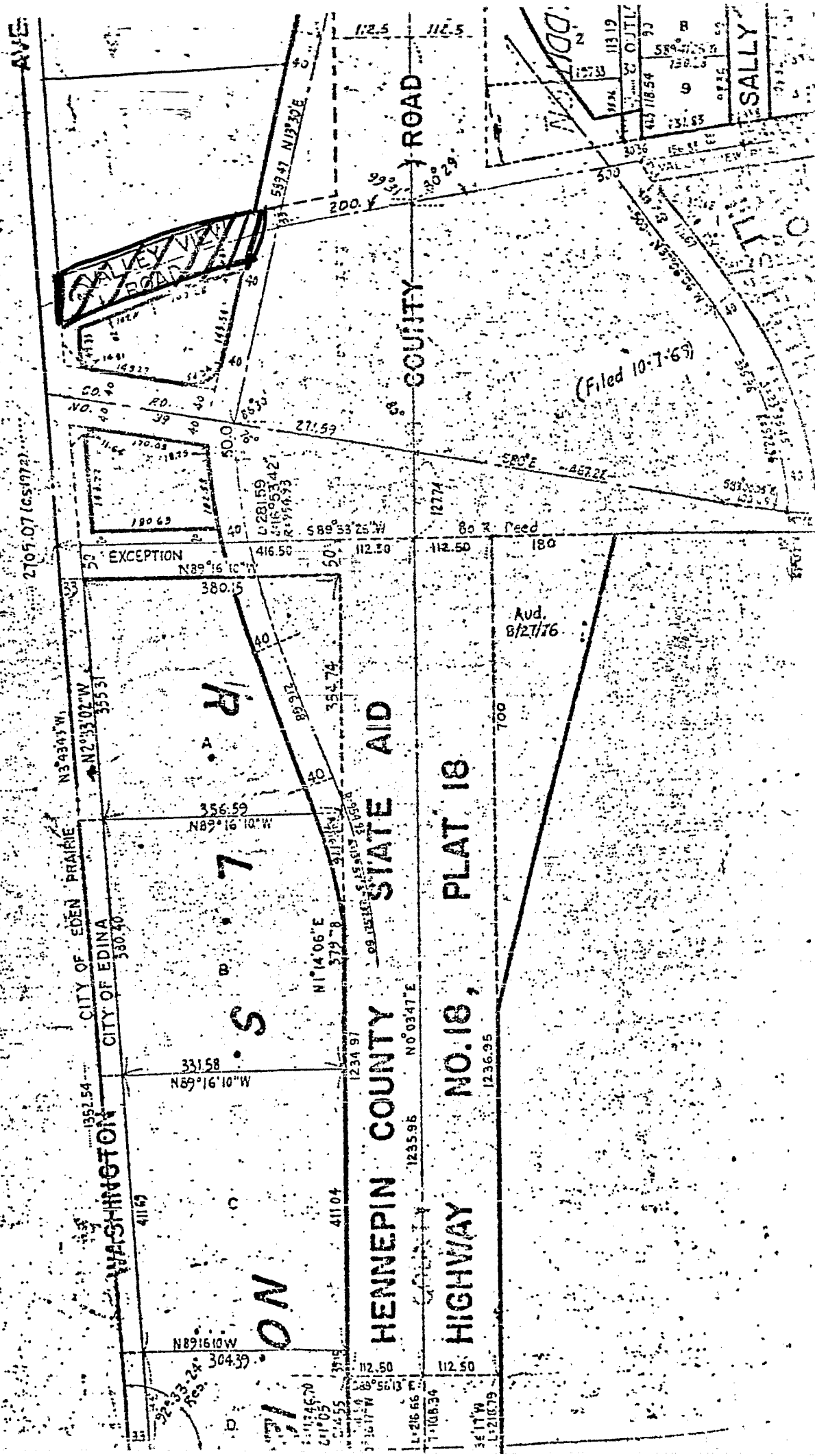
☐

Opposed

☐

Conditional

Conditions _____



CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON STREET VACATION IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

That portion of Valley View Road, formerly Hennepin County Road 39 located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18, except for utility easements therein

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street, Edina, Minnesota, on May 15, 1978, at 7:00 o'clock p.m., for the purpose of holding a public hearing on the proposed vacation of the following street:

That portion of Valley View Road, formerly Hennepin County Road 39 located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Ave. and the West right-of-way line of Hennepin County Road No. 18, except for utility easements therein

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such street or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY THE ORDER OF THE CITY COUNCIL

Florence B. Hallberg, City Clerk

April 28, 1978

CITY OF EDINA

PUBLIC RIGHT-OF-WAY VACATION APPLICATION

Date Initiated 4/17/78*Original to
John Hoffmann*

- 1) I hereby petition the City Council of the City of Edina to vacate all of the following described public right-of-way:



Street



Alley



Utility Easement



Drainage Easement



Other _____

(describe)

Description of area proposed to be vacated:

That portion of Valley View Road, formerly Hennepin County Road 39 located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18, except for utility easements therein

Attach copy of scaled drawing showing in full detail the proposed vacation.

Signature _____

Address _____

Telephone _____

2) Review

CITY ENGINEER by Frank J. Hoffmann

Acceptable



Opposed



Conditional

Conditions _____

MINNEGASCO by 7/11/78 5:49

Acceptable



Opposed



Conditional

Minnesota Gas Company objects to proposed vacation unless easement rights are reserved it over Southerly 1/2 of the area to be vacated.

N.W. BELL by _____



Acceptable



Opposed



Conditional

Conditions _____

N.S.P. by _____



Acceptable



Opposed

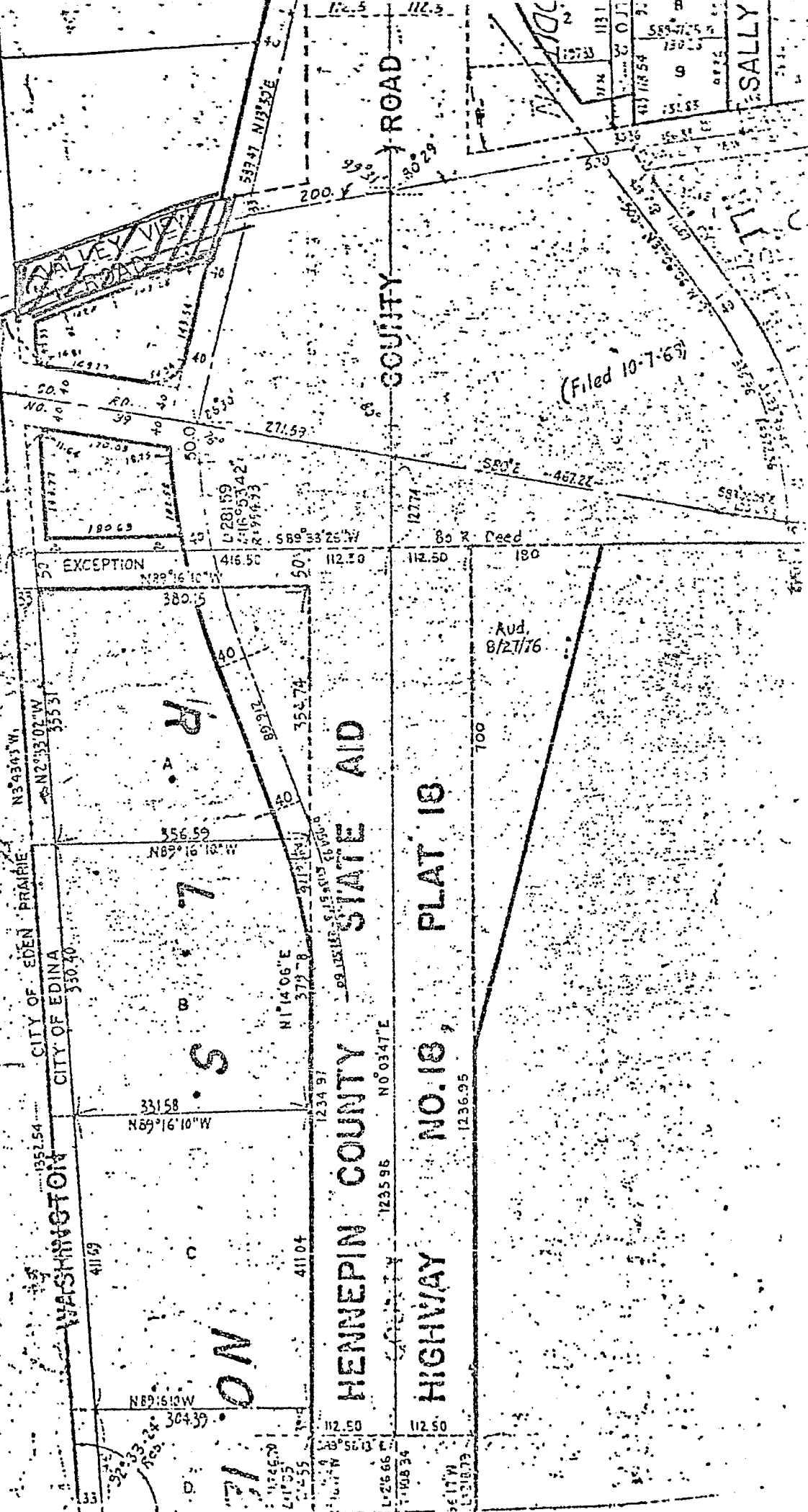


Conditional

Conditions _____

5/16 Schramm - Reserving to the Minnesota Gas Co the Southerly 1/2 of the area
Parker - will call me back (Hilbertson)

10



(Filed 10-7-69)

NOV 1 1977

Commissioner Sivanich, Chairman, Public Works
Committee, offered the following resolution:

BE IT RESOLVED, That the County of Hennepin revoke that portion of present County Road 39 from a point on Washington Avenue approximately 225 feet north of the southwest corner of the northwest 1/4 of the northwest 1/4 of section 7, Township 116, Range 21, thence north approximately 125 feet, thence northeasterly approximately 570 feet to the centerline of County State Aid Highway 18 and there terminating, said portion being within the City of Edina and that this roadway be returned to the City of Edina to be under their jurisdiction, and

BE IT FURTHER RESOLVED, That the County of Hennepin redesignate as County Road 39 the new alignment beginning at a point on Washington Avenue approximately 225 feet north of the southwest corner of the northwest 1/4 of the northwest 1/4 of Section 7, Township 116, Range 21 thence southeasterly approximately 520 feet to the centerline of County State Aid Highway 18 and there terminating, said portion being wholly within the City of Edina.

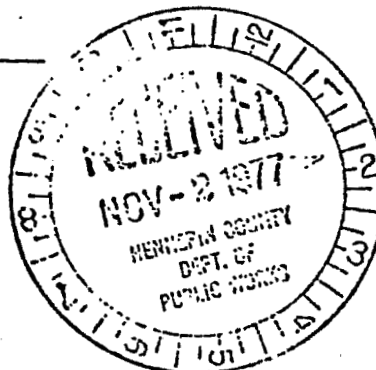
The question was on the adoption of the resolution, and there were
six YEAS and no NAYS as follows:

COUNTY OF HENNEPIN
BOARD OF COUNTY COMMISSIONERS

	<u>YEA</u>	<u>NAY</u>	<u>OTHER</u>
Jeff Spartz	<u>X</u>	—	—
Thomas E. Ticen	<u>X</u>	—	—
Richard E. Kremer	<u>X</u>	—	—
E.F. Robb, Jr.	<u>X</u>	—	—
Sam S. Sivanich	<u>X</u>	—	—
Nancy Olkon	—	—	<u>absent</u>
John E. Derus, Chairman	<u>X</u>	—	—

RESOLUTION ADOPTED.

ATTEST: Dee Wager
Deputy County Auditor

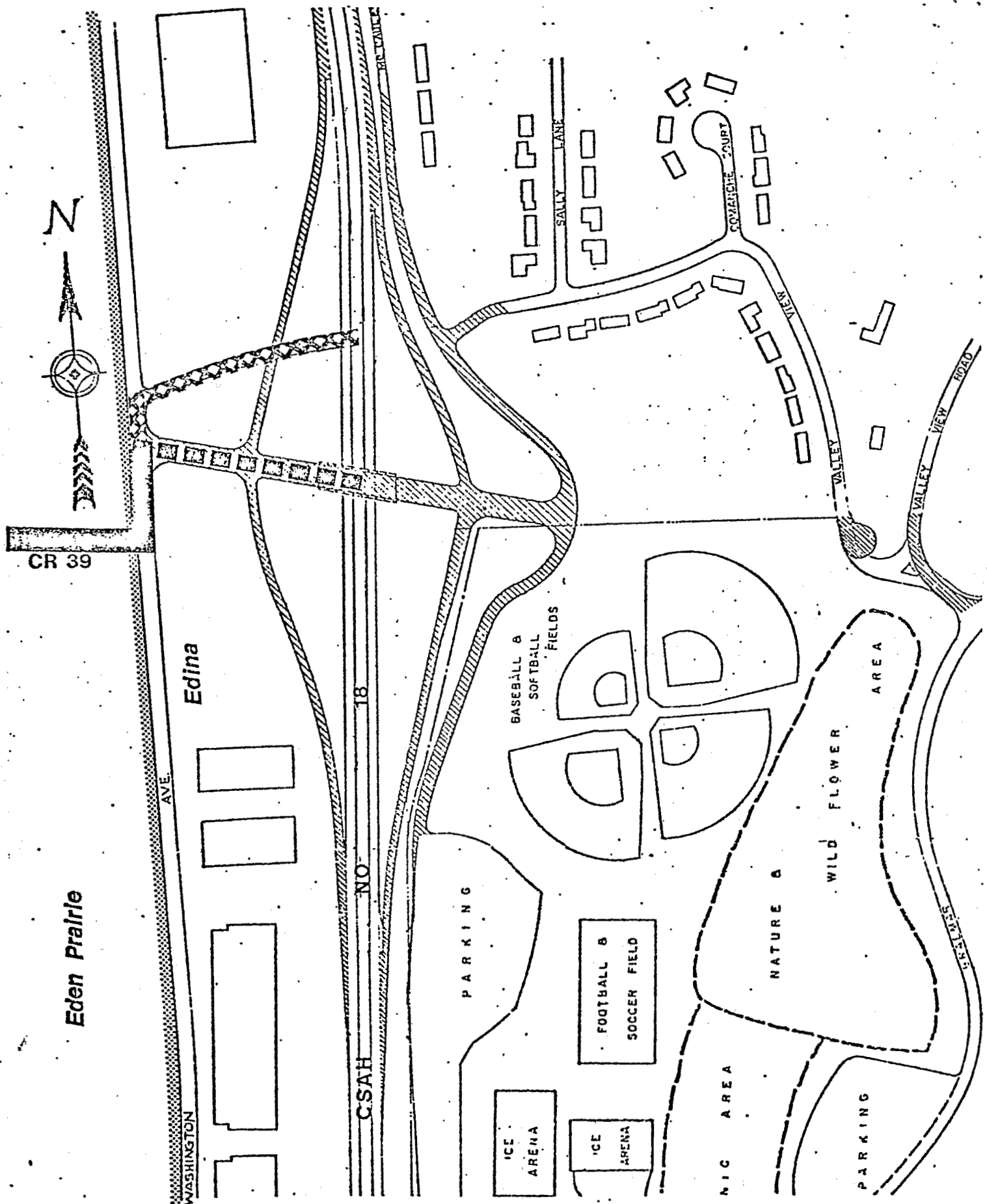


PROPOSED REDESIGNATION CR 39

 CR 39

 REVOCATION

 DESIGNATION



August, 1977

3800 Vicksburg Lane North
Hamel, Minnesota 55340
August 19, 1977

Edina City Hall
4801 W. 50th Street
City Council of Edina
Edina, Minnesota 55424

Dear Council Members:

I, Allan W. Garrison, am the recorded owner of land both to the north and south of old County Aid Road #39, better known as Valley View Road, which has been relocated to the south of the old County Aid Road #39.

I am requesting that the City Council vacate old County Aid Road #39, which lies between Washington Avenue South and County Aid Road #18. With this vacation of land, together with land I already own, the land can be better utilized and developed in the near future.

I would appreciate your prompt attention in this matter. Thank you.

Sincerely,

Allan W. Garrison

Allan W. Garrison

/mc

cc: Mr. Dave Swenson
Hennepin County
Hopkins, MN

8-30-77

8-23-77

III B

Florence -

Dave Swenson, Chief of Right-of-way for Hennepin County DPW, said today that County is in process of revoking this as a county road but resolution will not be passed until mid-September.

3800 Vicksburg Lane North
Hamel, Minnesota 55340
August 19, 1977

Edina City Hall
4801 W. 50th Street
City Council of Edina
Edina, Minnesota 55424

Dear Council Members:

I, Allan W. Garrison, am the recorded owner of land both to the north and south of old County Aid Road #39, better known as Valley View Road, which has been relocated to the south of the old County Aid Road #39.

I am requesting that the City Council vacate old County Aid Road #39, which lies between Washington Avenue South and County Aid Road #18. With this vacation of land, together with land I already own, the land can be better utilized and developed in the near future.

I would appreciate your prompt attention in this matter. Thank you.

Sincerely,

Allan W. Garrison
Allan W. Garrison

/mc

cc: Mr. Dave Swenson
Hennepin County
Hopkins, MN

Ret on 9/12
Agenda
Council should, if
they wish, pass
resolution requesting
County Board to
revoke old alignment
and turn back R-O-W
to City

8-30-77

8-23-77

Florence -

Dave Swenson, Chief of Right-of-Way for Hennepin County DPW, said today that County is in process of revoking this as a county road but resolution will not be passed until mid-September.

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I am requesting that the City Council vacate old County Aid Road #39, which lies between Washington Avenue South and County Aid Road #18. With this vacation of land, together with land I already own, the land can be better utilized and developed in the near future.

I would appreciate your prompt attention in this matter. Thank you.

Sincerely,

Allan W. Garrison

Allan W. Garrison

/mc

cc: Mr. Dave Swenson
Hennepin County
Hopkins, MN

It is not
ours to
even con-
sider vacating
until then.

Red

CITY OF EDINA

PUBLIC RIGHT-OF-WAY VACATION APPLICATION

Date Initiated 4/17/78*Original to
Frank Hoffmann*

- 1) I hereby petition the City Council of the City of Edina to vacate all of the following described public right-of-way:

☒ Street
 ☐ Alley
 ☐ Utility Easement
☐ Drainage Easement
 ☐ Other _____
 (describe)

Description of area proposed to be vacated:

That portion of Valley View Road, formerly Hennepin County Road 39 located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18, except for utility easements therein

Attach copy of scaled drawing showing in full detail the proposed vacation.

Signature _____

Address _____

Telephone _____

2) Review

CITY ENGINEER by Frank J. Hoffmann ☐ Acceptable ☐ Opposed ☒ Conditional
Conditions _____

MINNEGASCO by 7/11/78 5:30 ☐ Acceptable ☐ Opposed ☒ Conditional
Minnesota Gas Company objects to proposed vacation unless easement rights
Conditions are reserved it over Southerly 1/2 of the area to be vacated.

N.W. BELL by _____ ☐ Acceptable ☐ Opposed ☐ Conditional
Conditions _____

N.S.P. by _____ ☐ Acceptable ☐ Opposed ☐ Conditional
Conditions _____

5/16 Schramm - Reserving to the Minnesota Gas
Co the Southerly 1/2 of the area
Parker - will call me back (Gilbertson)

4394369



4801 WEST 50TH STREET, EDINA, MINNESOTA 55424
612-927-8861

NOTICE OF COMPLETION OF PROCEEDINGS
ON STREET VACATION IN THE CITY OF EDINA,
HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the Edina City Council, Hennepin County, Minnesota, on May 15, 1978, adopted a Resolution Vacating Portion of Valley View Road, after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said street vacation be made, which resolution ordered the vacation of the following described street, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota:

That portion of Valley View Road, formerly Hennepin County Road 39, located in the North 1/2 of Section 7, Township 116, Range 21 and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18.

The time of completion of proceedings and the effective date of said vacation is May 15, 1978.

BY ORDER OF THE EDINA CITY COUNCIL.

Flourence D. Hall
Edina City Clerk

TRANSFER ENTERED

JUL 14 1978

FINANCE DIVISION

HENNEPIN COUNTY, MINN.

BY *M. D. Dineen* DEPUTY



4801 WEST 50TH STREET, EDINA, MINNESOTA 55424

612-927-8861

RESOLUTION

WHEREAS, a resolution of the City Council, adopted the 17th day of April, 1978, fixed a date for a public hearing on the proposed vacation of the following described street:

That portion of Valley View Road, formerly Hennepin County Road 39, located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18; and

WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 15th day of May, 1978, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said street vacation be made; and

WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same, or to enter upon such street or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following described street is hereby vacated:

That portion of Valley View Road, formerly Hennepin County Road 39, located in the North 1/2 of Section 7, Township 116, Range 21 and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18;

PROVIDED, however, that, after due consideration, the Council has determined and hereby specifies that the foregoing vacation shall not affect, and there is hereby continued, reserved and retained the following existing easements and authority in, on and under the above vacated area:

The City of Edina reserves in favor of itself a utility easement within said described vacated street for the maintenance, replacement, repair and removal of, and otherwise attending thereto, underground watermain, hydrants and other facilities as deemed necessary by the City of Edina to provide service to customers along this route; and

The City of Edina reserves in favor of Minnesota Gas Company a utility easement within said described vacated street for the maintenance, replacement, repair and removal of, and for otherwise attending to, underground gas lines required to provide service to customers along this route; and

The City of Edina reserves in favor of Northwestern Bell Telephone Company a utility easement within said described vacated street for the maintenance, replacement, repair and removal of, and for otherwise attending to, underground conduit, manholes, cables, wires and poles required for telephone communications and electric lines to provide service to customers along this route; and

that the Clerk is authorized and directed to cause a Notice of Completion of proceedings to be prepared, entered in the transfer record of the County Auditor, and filed with the Register of Deeds, in accordance with Minnesota Statutes, Section 412.851.

ADOPTED THIS 15th day of May, 1978.

CERTIFICATION OF MINUTES

I, the undersigned duly appointed Acting City Clerk for the City of Edina, County of Hennepin, Minnesota, do hereby certify that I have compared the attached and foregoing resolution and that the same is a true and correct copy of a resolution duly adopted by the City of Edina Council at its Regular Meeting held Monday, May 15, 1978, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this 26th day of May, 1978.

Frances D. Hall
City Clerk



4394369

JUL 14 1978 4 3 6 9

003.25D6 A

OFFICE OF COUNTY RECORDER
HENNEPIN COUNTY, MINNESOTA
CERTIFIED FILED AND OR
RECORDED

1978 JUL 14 PM 2:20

AS DOCUMENT 4394369


BY  COUNTY RECORDER

REC FEE 3-
COPY FEE 25

Box 348

(Hobbs)



4801 WEST 50TH STREET, EDINA, MINNESOTA 55424
612-927-8861

NOTICE OF COMPLETION OF PROCEEDINGS
ON STREET VACATION IN THE CITY OF EDINA,
HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the Edina City Council, Hennepin County, Minnesota, on May 15, 1978, adopted a Resolution Vacating Portion of Valley View Road, after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said street vacation be made, which resolution ordered the vacation of the following described street, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota:

That portion of Valley View Road, formerly Hennepin County Road 39, located in the North 1/2 of Section 7, Township 116, Range 21 and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18.

The time of completion of proceedings and the effective date of said vacation is May 15, 1978.

BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg
Edina City Clerk

CITY OF EDINA

PUBLIC RIGHT-OF-WAY VACATION APPLICATION

Date Initiated 4/17/78

- 1) I hereby petition the City Council of the City of Edina to vacate all of the following described public right-of-way:



Street



Alley



Utility Easement



Drainage Easement



Other

(describe)

Water Main Easement the 54' 18" of the N. 33' of said portion of V.V. Rd
 Description of area proposed to be vacated: *described below.*

That portion of Valley View Road, formerly Hennepin County Road 39 located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18, except for utility easements therein

Attach copy of scaled drawing showing in full detail the proposed vacation.

Signature _____

Address _____

Telephone _____

2) Review

CITY ENGINEER by Francis J. Hoffman ☐ Acceptable ☐ Opposed ☒ Conditional
 Conditions 24' Water main

MINNEGASCO by _____ ☐ Acceptable ☐ Opposed ☐ Conditional
 Conditions _____

N.W. BELL by George T. Soash ☐ Acceptable ☐ Opposed ☒ Conditional
 Conditions easement required for buried Telephone cables

N.S.P. by _____ ☐ Acceptable ☐ Opposed ☐ Conditional
 Conditions _____

15' NW Bell

18' W. 2nd main

33' NW 1st main



4801 WEST 50TH STREET, EDINA, MINNESOTA 55424
612-927-8861

RESOLUTION

WHEREAS, a resolution of the City Council, adopted the 17th day of April, 1978, fixed a date for a public hearing on the proposed vacation of the following described street:

That portion of Valley View Road; formerly Hennepin County Road 39, located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18; and

WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 15th day of May, 1978, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said street vacation be made; and

WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same, or to enter upon such street or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following described street is hereby vacated:

That portion of Valley View Road, formerly Hennepin County Road 39, located in the North 1/2 of Section 7, Township 116, Range 21 and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18;

PROVIDED, however, that, after due consideration, the Council has determined and hereby specifies that the foregoing vacation shall not affect, and there is hereby continued, reserved and retained the following existing easements and authority in, on and under the above vacated area:

The City of Edina reserves in favor of itself a utility easement within said described vacated street for the maintenance, replacement, repair and removal of, and otherwise attending thereto, underground watermain, hydrants and other facilities as deemed necessary by the City of Edina to provide service to customers along this route; and

The City of Edina reserves in favor of Minnesota Gas Company a utility easement within said described vacated street for the maintenance, replacement, repair and removal of, and for otherwise attending to, underground gas lines required to provide service to customers along this route; and

The City of Edina reserves in favor of Northwestern Bell Telephone Company a utility easement within said described vacated street for the maintenance, replacement, repair and removal of, and for otherwise attending to, underground conduit, manholes, cables, wires and poles required for telephone communications and electric lines to provide service to customers along this route; and

that the Clerk is authorized and directed to cause a Notice of Completion of proceedings to be prepared, entered in the transfer record of the County Auditor, and filed with the Register of Deeds, in accordance with Minnesota Statutes, Section 412.851.

ADOPTED THIS 15th day of May, 1978.

CERTIFICATION OF MINUTES

I, the undersigned duly appointed Acting City Clerk for the City of Edina, County of Hennepin, Minnesota, do hereby certify that I have compared the attached and foregoing resolution and that the same is a true and correct copy of a resolution duly adopted by the City of Edina Council at its Regular Meeting held Monday, May 15, 1978, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this 26th day of May, 1978..

Lawrence B. Hallberg
City Clerk



4501 WEST 50TH STREET, EDINA MINNESOTA 55424

612-927-8861

RESOLUTION

WHEREAS, a resolution of the City Council, adopted the 17th day of April, 1978, fixed a date for a public hearing on the proposed vacation of the following described street:

That portion of Valley View Road, formerly Hennepin County Road 39, located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18; and

WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 15th day of May, 1978, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said street vacation be made; and

WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same, or to enter upon such street or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following described street is hereby vacated:

That portion of Valley View Road, formerly Hennepin County Road 39, located in the North 1/2 of Section 7, Township 116, Range 21 and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18;

PROVIDED, however, that, after due consideration, the Council has determined and hereby specifies that the foregoing vacation shall not affect, and there is hereby continued, reserved and retained the following existing easements and authority in, on and under the above vacated area:

The City of Edina reserves in favor of itself a utility easement within said described vacated street for the maintenance, replacement, repair and removal of, and otherwise attending thereto, underground watermain, hydrants and other facilities as deemed necessary by the City of Edina to provide service to customers along this route; and

The City of Edina reserves in favor of Minnesota Gas Company a utility easement within said described vacated street for the maintenance, replacement, repair and removal of, and for otherwise attending to, underground gas lines required to provide service to customers along this route; and

The City of Edina reserves in favor of Northwestern Bell Telephone Company a utility easement within said described vacated street for the maintenance, replacement, repair and removal of, and for otherwise attending to, underground conduit, manholes, cables, wires and poles required for telephone communications and electric lines to provide service to customers along this route; and

that the Clerk is authorized and directed to cause a Notice of Completion of proceedings to be prepared, entered in the transfer record of the County Auditor, and filed with the Register of Deeds, in accordance with Minnesota Statutes, Section 412.851.

ADOPTED THIS 15th day of May, 1978.

CERTIFICATION OF MINUTES

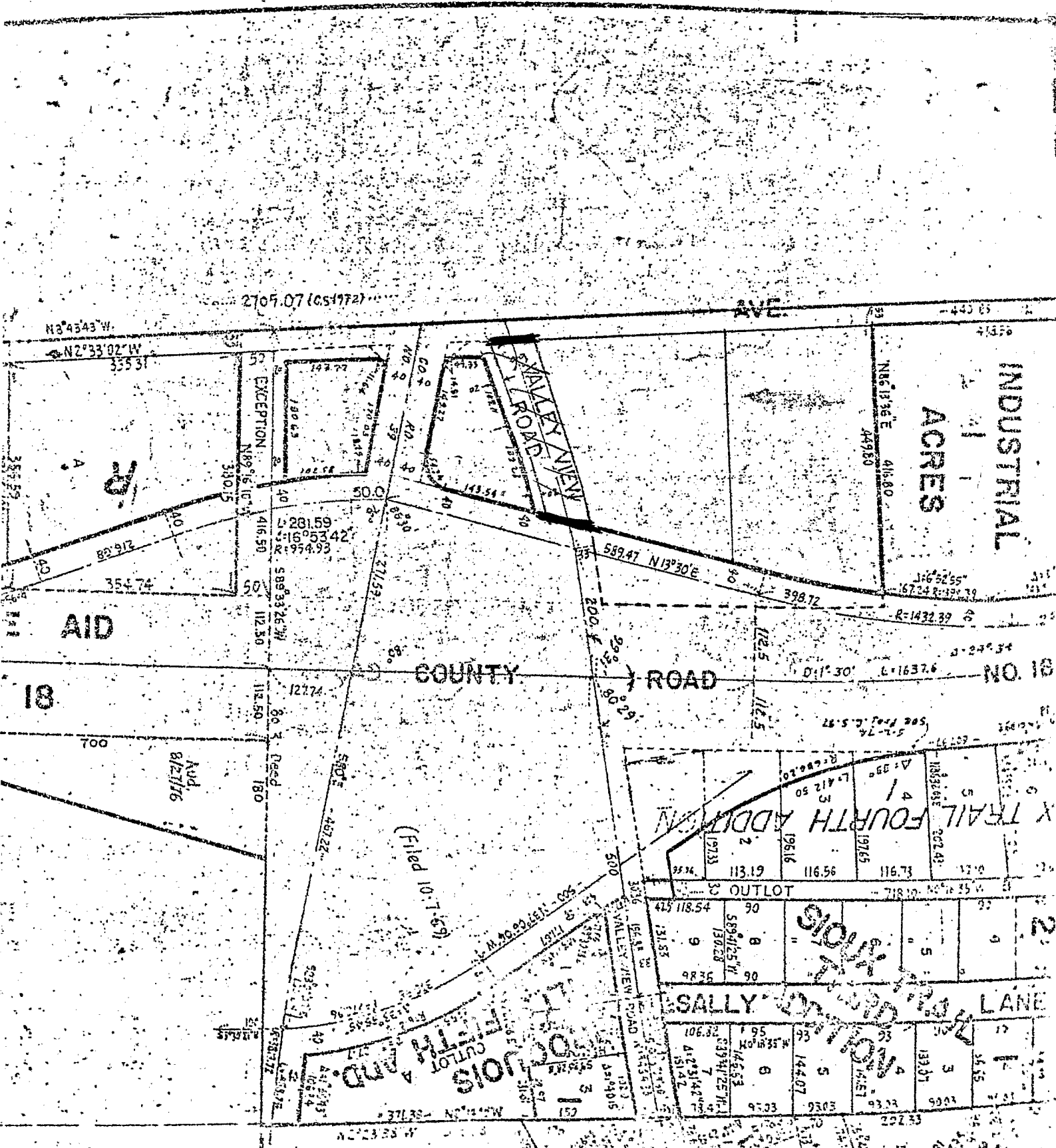
I, the undersigned duly appointed Acting City Clerk for the City of Edina, County of Hennepin, Minnesota, do hereby certify that I have compared the attached and foregoing resolution and that the same is a true and correct copy of a resolution duly adopted by the City of Edina Council at its Regular Meeting held Monday, May 15, 1978, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this 26th day of May, 1978.

Fluence D. Hays
City Clerk



#27



CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON STREET VACATION IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

That portion of Valley View Road, formerly Hennepin County Road 39 located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18, except for utility easements therein

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street, Edina, Minnesota, on May 15, 1978, at 7:00 o'clock p.m., for the purpose of holding a public hearing on the proposed vacation of the following street:

That portion of Valley View Road, formerly Hennepin County Road 39 located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Ave. and the West right-of-way line of Hennepin County Road No. 18, except for utility easements therein

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such street or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY THE ORDER OF THE CITY COUNCIL

Florence B. Hallberg, City Clerk

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON STREET VACATION IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

That portion of Valley View Road, formerly Hennepin County Road 39 located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18, except for utility easements therein

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BY THE ORDER OF THE CITY COUNCIL

Florence B. Hallberg, City Clerk

CITY OF EDINA

PUBLIC RIGHT-OF-WAY VACATION APPLICATION

Date Initiated 4/17/78

- 1) I hereby petition the City Council of the City of Edina to vacate all of the following described public right-of-way:

☒ Street ☐ Alley ☐ Utility Easement
☐ Drainage Easement ☐ Other _____
 (describe)

Description of area proposed to be vacated:

That portion of Valley View Road, formerly Hennepin County Road 39 located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18, except for utility easements therein

Attach copy of scaled drawing showing in full detail the proposed vacation.

Signature _____

Address _____

Telephone _____

2) Review

CITY ENGINEER by Francis J. Hoffman ☐ Acceptable ☐ Opposed ☒ Conditional
 Conditions _____

MINNEGASCO by _____ ☐ Acceptable ☐ Opposed ☐ Conditional
 Conditions _____

N.W. BELL by _____ ☐ Acceptable ☐ Opposed ☐ Conditional
 Conditions _____

N.S.P. by _____ ☐ Acceptable ☐ Opposed ☐ Conditional
 Conditions _____



SUN NEWSPAPERS
AFFIDAVIT OF PUBLICATION
EDINA SUN

6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota } ss.
County of Hennepin }

J. R. RITCHAY, being duly sworn, on oath says he is and during all times here stated has been the vice president and printer of the newspaper known as The Edina Sun and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a weekly and is distributed at least once each week. (3) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 600 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purports to serve the City of Edina in the County of Hennepin and it has its known office of issue in the City of Bloomington in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer of said newspaper or persons in its employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours and at which said newspaper is printed. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper is made available at single or subscription prices to any person, corporation, partnership or other unincorporated association requesting the newspaper and making the applicable payment. (8) Said newspaper has complied with all foregoing conditions for at least one year preceding the day or dates of publication mentioned below. (9) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the managing officer of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

Street Vacation
Notice of Public Hearing

He further states on oath that the printed hereto attached as a part hereof was cut from the columns of said newspaper, and was printed

and published therein in the English language, once each week, for one successive weeks;

that it was first so published on Wed the 10 day of May, 19 78

and was thereafter printed and published on every _____ to and including

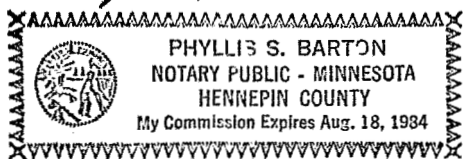
the _____ day of _____, 19____ and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

abcdefghijklmnopqrstuvwxyz

J. R. Ritchay

Subscribed and sworn to before me this 10 day of May, 19 78

Phyllis S. Barton



(Official Publication)
CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424
NOTICE OF PUBLIC HEARING
ON STREET VACATION
IN THE CITY OF EDINA
HENNEPIN, COUNTY, MINNESOTA

That portion of Valley Road, formerly Hennepin County Road 39 located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18, except for utility easements therein

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All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such street or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY THE ORDER
OF THE CITY COUNCIL
FLORENCE B. HALLBERG,
City Clerk
(May 10, 1978)-ED

File No. _____

Affidavit of Publication

 **EDINA SUN**

Edina, Minnesota

In The Matter Of



4801 WEST 50TH STREET, EDINA, MINNESOTA 55424
612-927-8861

**NOTICE OF COMPLETION OF PROCEEDINGS
ON STREET VACATION IN THE CITY OF EDINA,
HENNEPIN COUNTY, MINNESOTA**

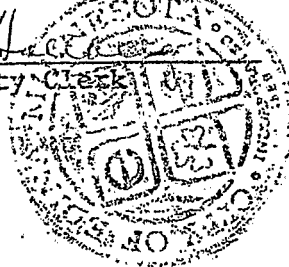
NOTICE IS HEREBY GIVEN that the Edina City Council, Hennepin County, Minnesota, on May 15, 1978, adopted a Resolution Vacating Portion of Valley View Road, after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said street vacation be made, which resolution ordered the vacation of the following described street, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota:

That portion of Valley View Road, formerly Hennepin County Road 39, located in the North 1/2 of Section 7, Township 116, Range 21 and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18.

The time of completion of proceedings and the effective date of said vacation is May 15, 1978.

BY ORDER OF THE EDINA CITY COUNCIL.

Flaunce D. Hackett
Edina City Clerk



TRANSFER ENTERED

JUL 14 1978
FINANCE DIVISION
HENNEPIN COUNTY, MINN.

BY *M. Dineen* DEPUTY

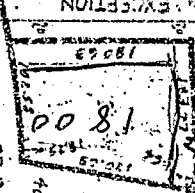
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CITY OF EDINA
WASHINGTON

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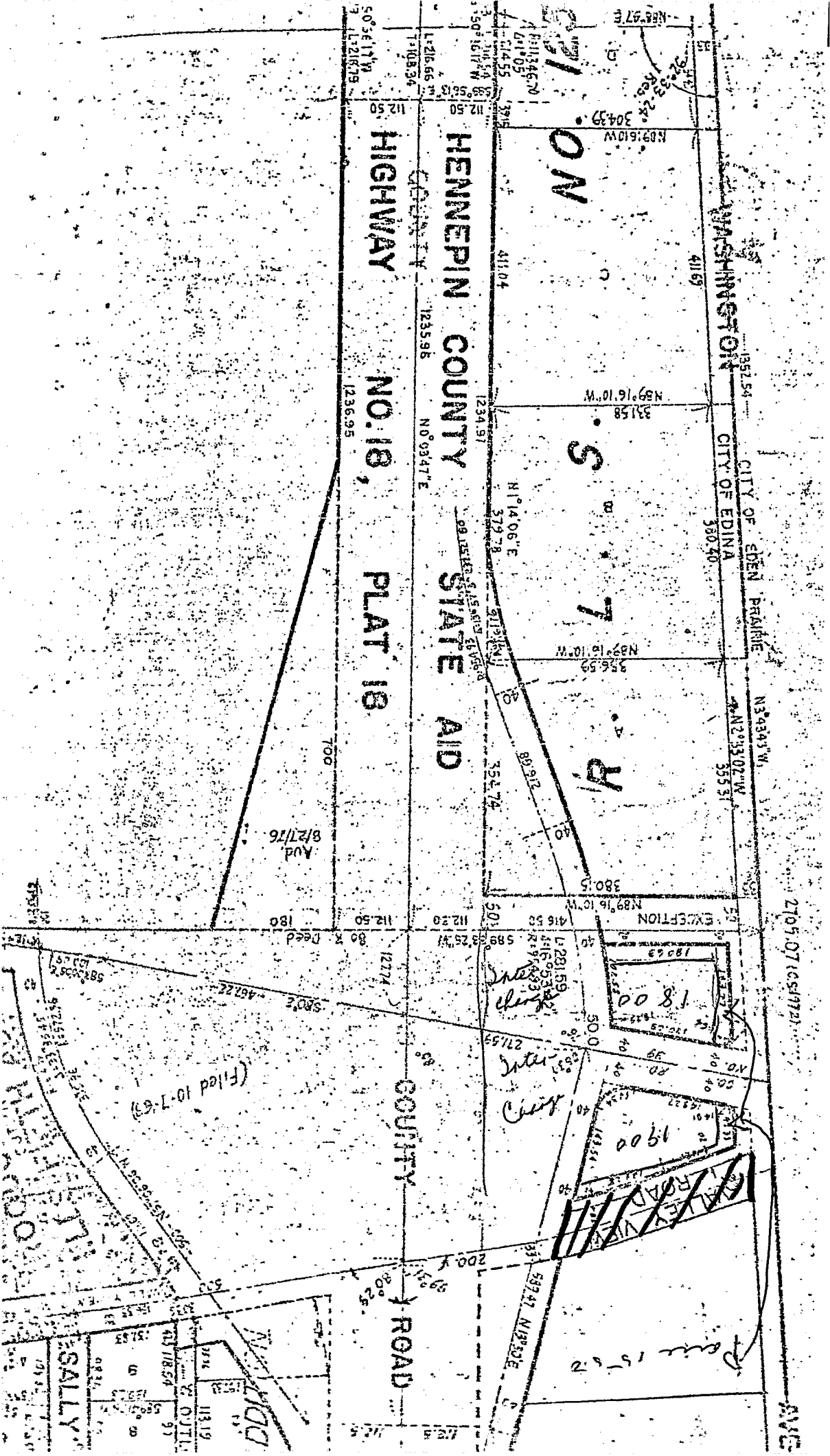
HENNEPIN COUNTY
STATE AID
NO. 18, PLAT 18
HIGHWAY



Inter change
Inter change

COUNTY ROAD

(Filed 10-7-63)



AVE

Page 15-2

VALLEY VIEW ROAD

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1800

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CITY OF EDINA
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N89°16'10"W
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COUNTY ROAD

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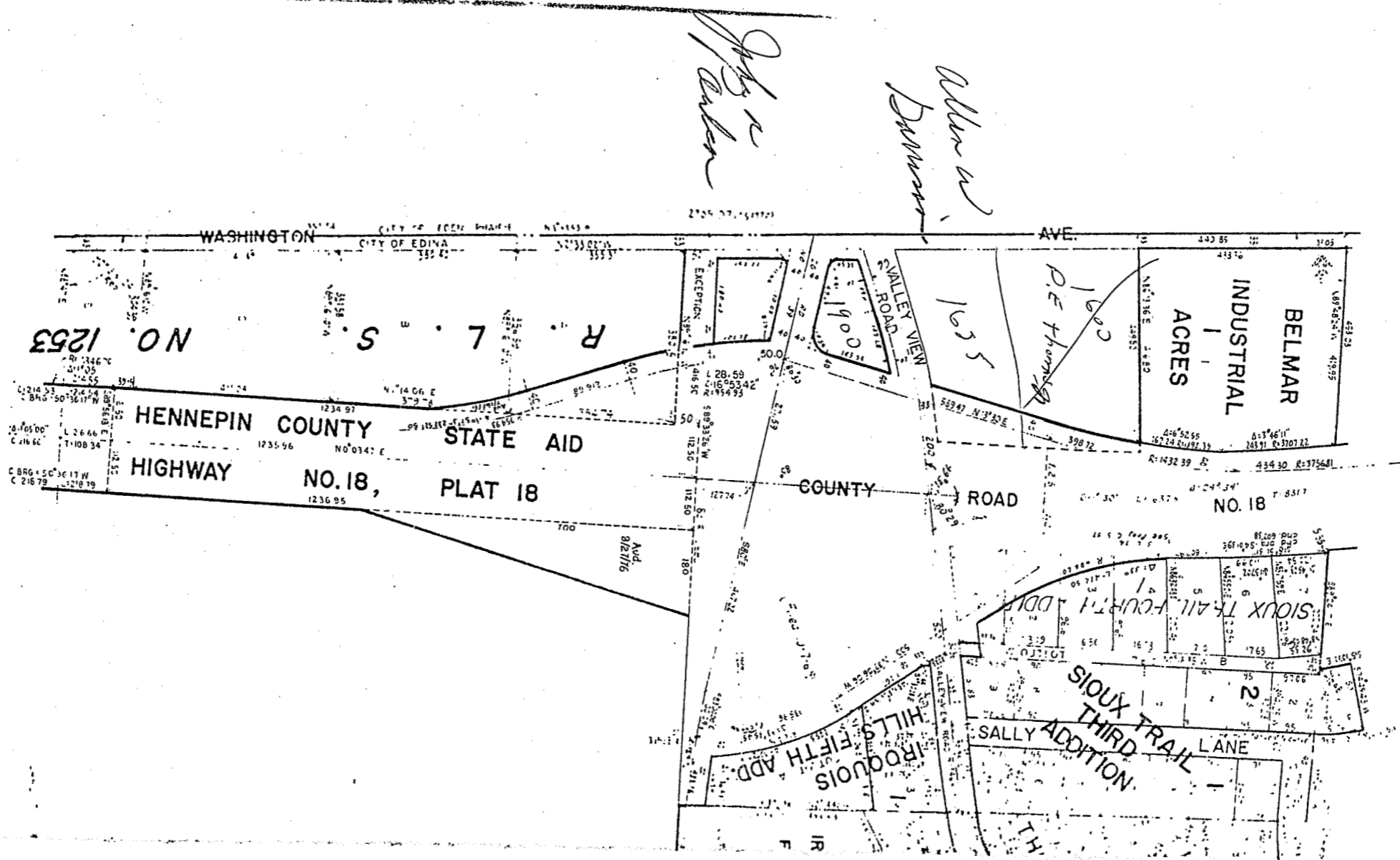
HENNEPIN COUNTY STATE AID

HIGHWAY NO. 18, PLAT 18

Aud.
8/27/76

(Filed 10-7-87)

SALLY



20-10

7-116-21

July 12, 1978

Mr. Thomas S. Erickson
2400 First National Bank Bldg.
Minneapolis, MN 55402

Dear Tom:

Enclosed herewith are Notice of Completion of Proceedings on Street Vacation and revised copies of the Resolution, all in triplicate, which were adopted on May 15, 1978 relative to the vacation of a portion of Valley View Road and which has been revised as you requested.

Will you please see that these documents are recorded if all is in order?

Yours very truly,

City Clerk

enclosures

RESOLUTION

WHEREAS, a resolution of the City Council, adopted the 17th day of April, 1978, fixed a date for a public hearing on the proposed vacation of the following described street:

That portion of Valley View Road, formerly Hennepin County Road 39, located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18; and

WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 15th day of May, 1978, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said street vacation be made; and

WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same, or to enter upon such street or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following described street is hereby vacated:

That portion of Valley View Road, formerly Hennepin County Road 39, located in the North 1/2 of Section 7, Township 116, Range 21 and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18;

PROVIDED, however, that, after due consideration, the Council has determined and hereby specifies that the foregoing vacation shall not affect, and there is hereby continued, reserved and retained the following existing easements and authority in, on and under the above vacated area:

The City of Edina reserves in favor of itself a utility easement within said described vacated street for the maintenance, replacement, repair and removal of, and otherwise attending thereto, underground watermain, hydrants and other facilities as deemed necessary by the City of Edina to provide service to customers along this route; and

July 12, 1978

Mr. Thomas S. Erickson
2400 First National Bank Bldg.
Minneapolis, MN 55402

Dear Tom:

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Will you please see that these documents are recorded if all is in order?

Yours very truly,

City Clerk

enclosures

THESE DOCUMENTS ARE THE PROPERTY OF THE U.S. GOVERNMENT AND ARE TO BE RETURNED TO THE
OFFICE OF THE DIRECTOR, NATIONAL ARCHIVES, COLLEGE PARK, MARYLAND, 20740, WHEN REQUESTED.
IF YOU ARE NOT THE ADDRESSEE, DO NOT REPLY TO THIS LETTER. IF YOU HAVE ANY COMMENTS
ON THE QUALITY OF THE SERVICE, PLEASE CONTACT THE NATIONAL ARCHIVES AT (301) 837-1000.

THANK YOU

VERY TRULY YOURS,
NATIONAL ARCHIVES

RESOLUTION

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WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 15th day of May, 1978, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said street vacation be made; and

WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same, or to enter upon such street or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto;

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PROVIDED, however, that, after due consideration, the Council has determined and hereby specifies that the foregoing vacation shall not affect, and there is hereby continued, reserved and retained the following existing easements and authority in, on and under the above vacated area:

The City of Edina reserves in favor of itself a utility easement within said described vacated street for the maintenance, replacement, repair and removal of, and otherwise attending thereto, underground watermains, hydrants and other facilities as deemed necessary by the City of Edina to provide service to customers along this route; and

The City of Edina reserves in favor of Minnesota Gas Company a utility easement within said described vacated street for the maintenance, replacement, repair and removal of, and for otherwise attending to, underground gas lines required to provide service to customers along this route; and

The City of Edina reserves in favor of Northwestern Bell Telephone Company a utility easement within said described vacated street for the maintenance, replacement, repair and removal of, and for otherwise attending to, underground conduit, manholes, cables, wires and poles required for telephone communications and electric lines to provide service to customers along this route; and

that the Clerk is authorized and directed to cause a Notice of Completion of proceedings to be prepared, entered in the transfer record of the County Auditor, and filed with the Register of Deeds, in accordance with Minnesota Statutes, Section 412.851.

ADOPTED THIS 15th day of May, 1978.

CERTIFICATION OF MINUTES

I, the undersigned duly appointed Acting City Clerk for the City of Edina, County of Hennepin, Minnesota, do hereby certify that I have compared the attached and foregoing resolution and that the same is a true and correct copy of a resolution duly adopted by the City of Edina Council at its Regular Meeting held Monday, May 15, 1978, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this 26th day of May, 1978.

City Clerk

July 3, 1978

Mr. Thomas S. Erickson
2400 First National Bank Bldg.
Minneapolis, MN 55402

Dear Tom:

Enclosed herewith are Notice of Completion of Proceedings on Street Vacations and resolutions adopted on May 15, 1978, relative to vacations of portions of Vernon Avenue and Valley View Road.

Will you please see that these documents are recorded?

Yours very truly,

City Clerk:

enclosures

NOTICE OF COMPLETION OF PROCEEDINGS
ON STREET VACATION IN THE CITY OF EDINA,
HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the Edina City Council, Hennepin County, Minnesota, on May 15, 1978, adopted a Resolution Vacating Portion of Valley View Road, after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said street vacation be made, which resolution ordered the vacation of the following described street, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota:

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The time of completion of proceedings and the effective date of said vacation is May 15, 1978.

BY ORDER OF THE EDINA CITY COUNCIL.

Edina City Clerk

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

AFFIDAVIT OF POSTING NOTICE OF HEARING ON
STREET VACATION

The undersigned, being first duly sworn, upon oath deposes and says that he is the qualified and acting Police Patrolman for the City of Edina, Hennepin County, Minnesota, and that on April 28, 19 78, he posted the notice of hearing on vacation of a street to be held on May 15, 19 78, a true and correct copy of which is hereto attached, at each of the following public and conspicuous places within the City in a manner likely to attract attention:

1. City Hall, 4801 W. 50th Street 2. 50th & France Business Area, 3922 W. 50th Street 3. Amundson Avenue Shopping Center.

Said street vacation being described as follows:

That portion of Valley View Road, formerly Hennepin County Road 39 located in the North 1/2 of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18, except for utility easements therein

Mike Blood
Police Patrolman

Subscribed and sworn to before me, a notary public in and for the County of Hennepin, State of Minnesota, this 28 day of April, 19 78.

Flarence B. Hallberg
Notary Public, Hennepin County, Minnesota
My commission expires:

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON STREET VACATION IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

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All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation in in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such street or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY THE ORDER OF THE CITY COUNCIL

Florence B. Hallberg, City Clerk

(Official Publication)

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON STREET VACATION IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

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BY THE ORDER OF THE CITY COUNCIL

Florence B. Hallberg, City Clerk

Please publish in the Edina Sun on April 26, 1978. *and May 10, 1978*
Please send us one Affidavit of Publication.



SUN NEWSPAPERS
AFFIDAVIT OF PUBLICATION
EDINA SUN

6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota }
County of Hennepin } ss.

J. R. RITCHAY, being duly sworn, on oath says he is and during all times here stated has been the vice president and printer of the newspaper known as The Edina Sun and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a weekly and is distributed at least once each week. (3) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purports to serve the City of Edina in the County of Hennepin and it has its known office of issue in the City of Bloomington in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer of said newspaper or persons in its employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours and at which said newspaper is printed. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper is made available at single or subscription prices to any person, corporation, partnership or other unincorporated association requesting the newspaper and making the applicable payment. (8) Said newspaper has complied with all foregoing conditions for at least one year preceding the day or dates of publication mentioned below. (9) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the managing officer of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

Street Vacation

Notice of Public Hearing

He further states on oath that the printed hereto attached as a part hereof was cut from the columns of said newspaper, and was printed

and published therein in the English language, once each week, for one successive weeks;

that it was first so published on Wed the 26 day of April, 19 78

and was thereafter printed and published on every _____ to and including

_____ the _____ day of _____, 19____ and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

abcdefghijklmnopqrstuvwxyz

J. R. Ritchay

Subscribed and sworn to before me this 26 day of April, 19 78

Phyllis S. Barton
PHYLLIS S. BARTON
NOTARY PUBLIC - MINNESOTA
HENNEPIN COUNTY
My Commission Expires Aug. 18, 1984

(Official Publication)
CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424
NOTICE OF PUBLIC HEARING
ON STREET VACATION
IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

That portion of Valley Road, formerly Hennepin County Road 39 located in the North ½ of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Avenue and the West right-of-way line of Hennepin County Road No. 18, except for utility easements therein

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street, Edina, Minnesota, on May 15, 1978, at 7:00 o'clock p.m., for the purpose of holding a public hearing on the proposed vacation of the following street:

That portion of Valley View Road, formerly Hennepin County Road 39 located in the North ½ of Section 7, Township 116, Range 21, and 66 feet in width, lying between the Southerly extension of the East line of Washington Ave. and the West right-of-way line of Hennepin County Road No. 18, except for utility easements therein

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such street or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY THE ORDER
OF THE CITY COUNCIL
FLORENCE B. HALLBERG,
City Clerk
(April 26, 1978)—ED

File No. _____

Affidavit of Publication

 **EDINA SUN**

Edina, Minnesota

In The Matter Of
